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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

CALEA Section 107(c) Petitions)
Receiving Preliminary Extensions)
From the Common Carrier Bureau)

CC Docket No. 97-213 /
NSD-L-00-234

TO: Common Carrier Bureau

**REPLY COMMENTS
AND REQUEST FOR CORRECTION OF APPENDIX**

Cochrane Cooperative Telephone Company ("Cochrane"), Luck Telephone Company ("Luck), Niagara Telephone Company ("Niagara") and Richland-Grant Telephone Cooperative, Inc. ("Richland-Grant") hereby submit their Reply Comments in response to the Public Notice (CALEA Section 107(c) Extension Petitions Receiving Preliminary Extensions From The Common Carrier Bureau), DA 00-2582, released November 20, 2000 ("Public Notice").

While searching to determine whether any party had filed comments opposing their requests for Section 107(c) extensions, Cochrane and Richland-Grant found that their names had been omitted from the Appendix (Carriers Receiving Preliminary Extensions until March 31, 2001 to Comply with CALEA Section 103 Requirements) to the Public Notice. Luck and Niagara were listed in the Appendix, but their names contained typographical errors.

Cochrane, Luck, Niagara and Richland-Grant participated in the filing of a timely, complete and sufficient Category A joint petition for Section 107(c) extensions on May 24, 2000. Cochrane and Richland-Grant believe that the omissions of their names from

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the Appendix are the result of inadvertent clerical errors. Luck and Niagara believe that they are listed in the Appendix, but have found typographical errors in their names that may lead to confusion.

Cochrane and Richland-Grant request that the Appendix be corrected or supplemented to include their names, while Luck and Niagara request that it be corrected or supplemented to specify their exact names. All parties request further that the Bureau take the steps necessary to allow law enforcement officials to verify that they have requested Section 107(c) extensions, and that the Bureau issue final determinations at a future date with respect to their requests for full extensions until June 30, 2002.

On May 24, 2000, Cochrane, Luck, Niagara and Richland-Grant participated with four other telephone companies using Siemens Stromberg-Carlson DCO switches in the filing with the Commission of a Joint Petition For Extension of the capability requirements of Section 103 of the Communications Assistance for Law Enforcement Act ("CALEA"). A copy of the text of this petition, showing that it was stamped "RECEIVED" by the Office of the Secretary on May 24, 2000, is attached. Also attached are copies of the letters from the FBI's CALEA Implementation Section to Cochrane, Luck, Niagara and Richland-Grant, indicating that they have participated in the FBI's Flexible Deployment Assistance Program, and that the FBI supports their requests for extension of the CALEA capability requirements until June 30, 2002.

Page 8 of the Appendix contains no reference to Cochrane, nor any entity with a similar name. Cochrane is located in Cochrane, Wisconsin, and has been assigned TRS Number 801843.

Page 17 of the Appendix contains a reference to “Luck Valley Telephone Company,” with TRS Number 801777. Luck’s name does not contain the word “Valley,” but rather is simply “Luck Telephone Company.” Luck, which has been assigned TRS Number 801777, is located in Luck, Wisconsin.

Page 20 of the Appendix contains a reference to “Niagra Telephone Company,” with TRS Number 801957. Niagara’s name is spelled “Niagara” rather than “Niagra.” Niagara, which has been assigned TRS Number 801957, is located in Niagara, Wisconsin.

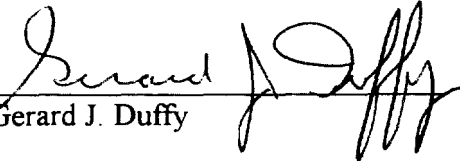
Page 24 of the Appendix contains no reference to Richland-Grant, nor any entity with a similar name. Richland-Grant is located in Blue River, Wisconsin, and has been assigned TRS Number 803049.

Cochrane, Luck, Niagara and Richland-Grant have participated in the FBI’s Flexible Deployment Assistance Program, and have received and submitted FBI letters approving their proposed CALEA capability extensions to June 30, 2002. They have also participated in the filing of timely Section 107(c) petitions with the Bureau, and have submitted all of the information requested by the Commission. The other four local exchange carriers (in fact, the other six carriers, including Luck and Niagara) participating in the same Joint Petition are listed in the Appendix. Therefore, it appears that the omissions of Cochrane and Richland-Grant from the Appendix were inadvertent clerical errors (as were the typographical errors in the Luck and Niagara names).

Cochrane and Richland-Grant request that the Appendix be corrected or supplemented to include their names, while Luck and Niagara request that it be corrected or supplement to include their specific names. They also request that the Bureau take the

steps necessary to allow law enforcement officials to verify that Cochrane, Luck, Niagara and Richland-Grant have requested Section 107(c) extensions. Finally, they request that the Bureau include Cochrane and Richland-Grant (as well as Luck and Niagara under their proper names) in the final determinations that it will issue at a future date with respect to their requests for full extensions (beyond the preliminary March 31, 2001 date) to the June 30, 2002 date consented to by the FBI.

Respectfully submitted,
Cochrane Cooperative Telephone Company
Luck Telephone Company
Niagara Telephone Company
Richland-Grant Telephone Cooperative, Inc.

By 
Gerard J. Duffy

Their Attorney

Blooston, Mordkofsky, Dickens,
Duffy & Prendergast
2120 L Street, NW, Suite 300
Washington, DC 20037
(202) 659-0830

Dated: January 4, 2001

Before the
Federal Communications Commission
Washington, D.C.

RECEIPT

In the Matter of:)
The Communications Assistance)
For Law Enforcement Act (CALEA),)
Section 107(c) Extensions of Capability Requirements)
Regarding Siemens Stromberg-Carlson DCO Switches)
)
Cochrane Cooperative Telephone Company (TRS No. 801843))
Coon Valley Farmers Telephone Company, Inc. (TRS No. 802119))
Lakefield Telephone Company (TRS No. 801837))
LaValle Telephone Cooperative, Inc. (TRS No. 805023))
Luck Telephone Company (TRS No. 801777))
Milltown Mutual Telephone Company (TRS No. 801615))
Niagara Telephone Company (TRS No. 801957))
Richland-Grant Telephone Cooperative, Inc. (TRS No. 803049))

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MAY 24 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: Common Carrier Bureau

JOINT PETITION FOR EXTENSION

1. Cochrane Cooperative Telephone Company ("Cochrane"), Coon Valley Farmers Telephone Company, Inc. ("Coon Valley"), Lakefield Telephone Company ("Lakefield"), LaValle Telephone Cooperative, Inc. ("LaValle"), Luck Telephone Company ("Luck"), Milltown Mutual Telephone Company ("Milltown"), Niagara Telephone Company ("Niagara") and Richland-Grant Telephone Cooperative, Inc. ("Richland-Grant") (hereinafter collectively "Petitioners") hereby request extensions until June 30, 2002, of the CALEA Section 103 capability requirements, 47 U.S.C. §1002, pursuant to CALEA Section 107(c), 47 U.S.C. §1006(c).

2. The Siemens Stromberg-Carlson DCO switches used by the Petitioners were installed and deployed before January 1, 1995. The Federal Bureau of Investigation ("FBI") has not yet completed its rulemaking defining the term "replaced or significantly upgraded or otherwise

undergoes major modification" in CALEA Section 109(d), 47 U.S.C. §1008(d), Implementation of Section 109 of the Communications Assistance for Law Enforcement Act, 61 Fed. Reg. 58799 (Nov. 19, 1996). Until this term is defined, it is not clear whether the pre-1/1/95 switches of Petitioners are subject to any CALEA capability compliance obligations unless and until the Attorney General agrees to pay for all reasonable costs directly associated with modifications under CALEA Sections 109(a) and (d). None of the Petitioners has had any electronic surveillance requests from law enforcement regarding felony criminal investigations for more than four years. All Petitioners are rural telephone companies that cannot reasonably afford to devote substantial resources of their own to CALEA-related switch upgrades at this time. Moreover, the equipment and software necessary to bring the Siemens Stromberg-Carlson switches of the Petitioners into compliance with the CALEA capability requirements cannot be acquired and received by Petitioners from their vendors (much less be installed and tested in a prudent and satisfactory manner) in sufficient time to be operational by June 30, 2000. To the best of the information and belief of Petitioners, the requisite equipment and software is not yet available. If and when it becomes available, the FBI and Siemens Stromberg-Carlson are not likely to give high priority to the delivery, installation and testing of CALEA-related software and associated equipment in low-crime, rural areas like those served by Petitioners. Hence, compliance with the Section 103 capability requirements is not reasonably achievable through the application of technology available within the existing compliance period.

3. Petitioners request extensions for the equipment, facilities and services listed in Attachment A (marked "Confidential – Not for Public Disclosure"), as stated therein.

4. Petitioners are filing a Category A petition, and are attaching (Attachment B) the following information to support their petition for an extension under CALEA Section 107(c):

letters to each Petitioner from the FBI's Flexible Deployment Program that contain the FBI's recommendation regarding the length of the extensions (two years), and the new compliance date (June 30, 2002).

5. Undersigned counsel and the following employees or officers of Petitioners are authorized to discuss CALEA-related matters with the Commission:

Cochrane:

Jeff Kostner
103 West 5th Street
Cochrane, WI 54622
PH: (608) 248-2323
FX: (608) 248-2113
EM: cochrane@mwt.net

Coon Valley:

Carol Ann Olson
105-107 Central Avenue
Coon Valley, WI 54623
PH: (608) 452-3101
FX: (608) 452-3100
EM: cvt@mwt.net

LaValle:

David Lull
108 West Main Street
LaValle, WI 53941
PH: (608) 985-7201
FX: (608) 985-8080
EM: lrc@mwt.net

Niagara:

Sydney Peterson
1133 Main Street
Niagara, WI 54151
PH: (715) 251-3116
FX: (715) 251-1119
EM: Not available

Richland-Grant:

David Lull
202 East Street
Blue River, WI 53518
PH: (608) 537-2461
FX: (608) 537-2222
EM: rgtc@mwt.net

Milltown:

Darrell Otto
107 Milltown Avenue North
Milltown, WI 54858
PH: (715) 825-2171
FX: (715) 825-4299
EM: jkklatt@lakelandcommunications.net

Lakefield

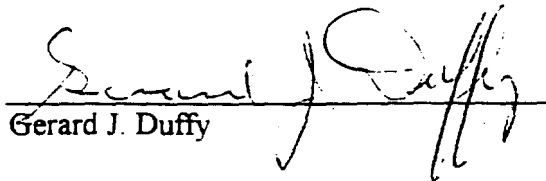
Philip Nass
7520 English Lake Road
Newton, WI 53063
PH: (920) 758-2211
FX: (920) 758-2997
EM: phil@lakefield.net

Luck:

Darrell Otto
28 First Ave. West
Luck, WI 54853
PH: (715) 253-2511
FX: (715) 472-8880
EM: jkklatt@lakelandcommunications.net

WHEREFORE, the above premises and information considered, it is respectfully requested that the requested extension be granted.

Respectfully submitted,
Cochrane Cooperative Telephone Company
Coon Valley Farmers Telephone Company, Inc.
Lakefield Telephone Company
LaValle Telephone Cooperative, Inc.
Luck Telephone Company
Milltown Mutual Telephone Company
Niagara Telephone Company
Richland-Grant Telephone Cooperative, Inc.

By 
Gerard J. Duffy

Their Attorney

Blooston, Mordkofsky, Jackson & Dickens
2120 L Street, N.W. (Suite 300)
Washington, DC 20037
Telephone: (202) 659-0830
Facsimile: (202) 828-5568
E-mail: gjd@bmjd.com



U.S. Department of Justice

Federal Bureau of Investigation

CALEA Implementation Section
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151

May 3, 2000

Jeff Kostner
Cochrane Cooperative Telephone Company
103 West Fifth Street, P.O. Box 189
Cochrane, WI 54622-0189

FCCTRS #801843
Carrier ID #743

Dear Carrier:

The CALEA Implementation Section of the FBI is pleased to inform you that based on the information provided in accordance with the Flexible Deployment Assistance Guide, the FBI supports a two-year extension of the June 30, 2000 compliance date for Cochrane Cooperative Telephone Company under section 107(c) of CALEA. Please note that the FBI is only supporting an extension until June 30, 2002.

A copy of this letter should be submitted to the Federal Communications Commission (FCC) along with Cochrane Cooperative Telephone Company's section 107(c) petition for extension of the June 30, 2000 compliance date, or in reference to such petition filed at the FCC.

Sincerely yours,

Catherine Kudrick
Program Manager

Post-it® Fax Note		7671	Date	# of pages 2
To	Cochrane		From	Jeff
Co./Dept.	J		Co	Cochrane
Phone #			Phone #	
Fax #			Fax #	



U.S. Department of Justice

Federal Bureau of Investigation

*CALEA Implementation Section
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151*

May 4, 2000

Darrell Otto
Luck Telephone Company
P.O. Box 300, 28 First Ave. West
Luck, WI 54853-0300

FCCTRS #801777
Carrier ID #730

Dear Carrier:

The CALEA Implementation Section of the FBI is pleased to inform you that based on the information provided in accordance with the Flexible Deployment Assistance Guide, the FBI supports a two-year extension of the June 30, 2000 compliance date for Luck Telephone Company under section 107(c) of CALEA. Please note that the FBI is only supporting an extension until June 30, 2002.

A copy of this letter should be submitted to the Federal Communications Commission (FCC) along with Luck Telephone Company's section 107(c) petition for extension of the June 30, 2000 compliance date, or in reference to such petition filed at the FCC.

Sincerely yours,

A handwritten signature in cursive script, reading "Catherine Kudrick", is positioned above the typed name.

Catherine Kudrick
Program Manager

Attachment B



U.S. Department of Justice

Federal Bureau of Investigation

*CALEA Implementation Section
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151*

May 5, 2000

Sydney Peterson
Niagara Telephone Company
1133 Main St., PO Box 3
Niagara, WI 54151

FCCTRS #801957
Carrier ID #726

Dear Carrier:

The CALEA Implementation Section of the FBI is pleased to inform you that based on the information provided in accordance with the Flexible Deployment Assistance Guide, the FBI supports a two-year extension of the June 30, 2000 compliance date for Niagara Telephone Company under section 107(c) of CALEA. Please note that the FBI is only supporting an extension until June 30, 2002.

A copy of this letter should be submitted to the Federal Communications Commission (FCC) along with Niagara Telephone Company's section 107(c) petition for extension of the June 30, 2000 compliance date, or in reference to such petition filed at the FCC.

Sincerely yours,

A handwritten signature in cursive script, reading "Catherine Kudrick", is positioned above the typed name.

Catherine Kudrick
Program Manager



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Attachment B

U.S. Department of Justice

Federal Bureau of Investigation

CALEA Implementation Section
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151

May 8, 2000

~~David Bull~~

Richland-Grant Telephone Cooperative, Inc.
202 East Street, P.O. Box 67
Blue River, WI 53518

FCCTRS #803049
Carrier ID #727

Dear Carrier:

The CALEA Implementation Section of the FBI is pleased to inform you that based on the information provided in accordance with the Flexible Deployment Assistance Guide, the FBI supports a two-year extension of the June 30, 2000 compliance date for Richland-Grant Telephone Cooperative, Inc. under section 107(c) of CALEA. Please note that the FBI is only supporting an extension until June 30, 2002.

A copy of this letter should be submitted to the Federal Communications Commission (FCC) along with Richland-Grant Telephone Cooperative, Inc.'s section 107(c) petition for extension of the June 30, 2000 compliance date, or in reference to such petition filed at the FCC.

Sincerely yours,

Catherine Kudrick
Program Manager.